

# ARRESTING A NON-U.S. CITIZEN

## Consular Notification Process



### IN ALL CASES:

- Do not inform consulate about detainee's refugee or asylum status.
- Detainee may communicate with consular officer and may request consular access at any time (whether previously declined or not).
- Consulate may have access to detainee regardless of whether detainee requests it.

#### Bureau of Consular Affairs

U.S. Department of State

Washington, D.C. 20520

P: 202-647-4415

F: 202-736-7559

consnot@state.gov

### Q. Are you a U.S. citizen?

#### A. "YES, I am a U.S. citizen."

(No further action required.)

STOP

#### "NO, I am not a U.S. citizen."

NEXT

### Q. Are you a national of one of these countries?

Algeria	Cyprus	Kazakhstan	Romania	Tonga
Antigua and Barbuda	Czech Republic	Kiribati	Russia	Trinidad and Tobago
Armenia	Dominica	Kuwait	St. Kitts and Nevis	Tunisia
Azerbaijan	Fiji	Kyrgyzstan	Saint Lucia	Turkmenistan
Bahamas, The	Gambia, The	Malaysia	St. Vincent/Grenadines	Tuvalu
Barbados	Georgia	Malta	Seychelles	Ukraine
Belarus	Ghana	Mauritius	Sierra Leone	United Kingdom <sup>3</sup>
Belize	Grenada	Moldova	Singapore	U.S.S.R. <sup>4</sup>
Brunei	Guyana	Mongolia	Slovakia	Uzbekistan
Bulgaria	Hong Kong	Nigeria	Tajikistan	Zambia
China <sup>1</sup>	Hungary	Philippines	Tanzania	Zimbabwe
Costa Rica	Jamaica	Poland <sup>2</sup>		

1. Does not include Republic of China (Taiwan) passport holders

2. Mandatory for nonpermanent residents only

3. UK includes Anguilla, British Virgin Islands, Bermuda, Montserrat, and the Turks and Caicos islands (residents carry UK passports)

4. Passports may still be in use

#### A. "YES."

**Step 1.** Inform detainee of the right to communicate with consulate, and that you must inform consulate of arrest/detention.

**Step 2.** Inform the nearest consulate **without delay**.

**Step 3.** Make record of notification in case file.

(No further action required.)

STOP

#### "NO."

Inform detainee, **without delay**, of the right to communicate with consulate.

NEXT

### Q. Do you want your consulate notified of your arrest/detention?

#### A. "YES."

**Step 1.** Make note in case file.

**Step 2.** Inform consulate **without delay**.

**Step 3.** Make record of notification in case file (or use fax confirmation).

(No further action required.)

STOP

#### "NO."

**Step 1.** Make note in case file.

**Step 2.** Do **NOT** inform the consulate.

(No further action required.)

STOP

For more information visit: <http://www.travel.state.gov/law/notify.html>